

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)	No. 1:16-CR-00322
)	
v.)	
)	(Judge Mehalchick)
KEVIN DWIGHT HOLLAND,)	
Defendant.)	Electronically Filed

**SECOND MOTION FOR EXTENSION OF TIME TO RESPOND
TO DEFENDANT'S MOTION FOR RETURN OF PROPERTY**

The United States of America, by and through its attorneys, John C. Gurganus, Acting United States Attorney for the Middle District of Pennsylvania, and Joseph J. Terz, Assistant United States Attorney, respectfully requests this Court to grant its Second Motion for Extension of Time to Respond to Defendant's Motion for Return of Property. In support thereof, the government avers as follows

1. On August 13, 2024, defendant, Kevin D. Holland, filed a *pro se* Motion for Return of Property. Doc. 78.
2. This Court entered an Order on February 4, 2025, directing the Government to file an answer to the Defendant's Motion on or before April 7, 2025. Doc. 79.

3. On April 9, 2025, this Court entered an Order directing the Government to show cause why it had not filed a response to the Defendant's Motion. Doc. 80.

4. On April 16, 2025, the Government filed its Response to the Court's Show Cause Order stating the undersigned failed to calendar the Court's deadline of April 7, 2025. Doc. 81.

5. On April 16, 2025, the Government subsequently filed a Motion requesting an extension of time, until April 30, 2025, to respond to the Defendant's Motion. Doc. 82.

6. On April 17, 2025, this Court entered an Order granting the Government's request. Doc. 83.

7. As previously stated in the Government's Motion for Extension of Time, in order for the Government to effectively respond to the Defendant's Motion, it was necessary for ATF and the Susquehanna Police Department to review their closed files to determine whether ATF took custody of the seized cash or whether the cash remained in the custody of Susquehanna Police.

8. ATF has reviewed its system of records and provided the Undersigned with an affidavit stating that it does not possess or has ever possessed the \$1332 in United States Currency that is the subject of Holland's Motion for Return of Forfeited Property.

9. The Susquehanna Township Police Department which seized the currency at the time it arrested Holland in 2016 has searched its files and advised the undersigned that the currency was forfeited by the Commonwealth of Pennsylvania. They also advised the undersigned that due to the age of the case, they have not yet located the documentation confirming the forfeiture but believe that they may be able to do so by Tuesday, May 6, 2025.

10. Accordingly, the Government respectfully request a 7-day extension of time, until Wednesday, May 7, 2025, to file its response with the supporting evidence that would make a hearing on the Defendant's Motion unnecessary.

11. Defendant is *pro se*, and therefore the Government has not sought his concurrence with this motion.

WHEREFORE, the United States of America prays that this Honorable Court enter an order granting the Second Motion for Extension of Time to File a Response to Defendant's Motion.

Respectfully submitted,

JOHN C. GURGANUS
Acting United States Attorney

Dated: April 30, 2025

/s/ Joseph J. Terz
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that she is an employee in the Office of the United States Attorney for the Middle District of Pennsylvania and is a person of such age and discretion to be competent to serve papers.

That on April 30, 2025, she served a copy of the attached Second Motion for Extension of Time to Respond to Defendant's Motion for Return of Property via First Class Mail, addressed as follows:

Kevin D. Holland – 75499-067
FCI Danbury
Federal Correctional Institution
Route 37
Danbury, CT 06811

/s/ Samantha Deibert
Samantha Deibert
Supervisory Legal Assistant